

TRANSMITTAL FORM

Application Number	09/821,509
Filing Date	March 29, 2001
First Named Inventor	James J. Lu
Group Art Unit	2614
Examiner Name	Benny Q. Tieu
Attorney Docket No.	SNS-010
Patent No.	7,158,627
Issue Date	January 2, 2007

ENCLOSURES (check all that apply)

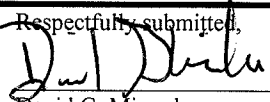
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Replacement Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of Electronic Transmission <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Application for Patent Term Adjustment Under 37 CFR §1.705
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Date: February 13, 2007
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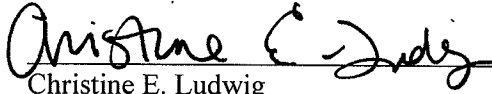
Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: James J. Lu
PATENT NO.: 7,158,627 GROUP NO.: 2614
ISSUED DATE: January 2, 2007 EXAMINER: Benny Q. Tieu
TITLE: Method and System For Inhibiting Softswitch Overload

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, are being filed electronically on this 13th day of February, 2007.


Christine E. Ludwig

Office of Publication
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith is:

- Application for Patent Term Adjustment Under 37 CFR § 1.705 (3 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	James J. Lu	GROUP NO.:	2614
PATENT NO.:	7,158,627	EXAMINER:	Benny Q. Tieu
ISSUE DATE:	January 2, 2007	CONFIRMATION NO.	5222
TITLE:	Method and System for Inhibiting Softswitch Overload		

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APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR §1.705

Sir/Ma'am:

Applicant respectfully submits this Application for Patent Term Adjustment under 37 CFR §1.705(b) for review of the patent term adjustment (PTA) determination for patent number 7,158,627, for which a Notice of Allowance was mailed on October 28, 2005. It is the Applicant's understanding that the 1147-day adjustment may be reduced under 37 CFR §1.704(c)3. The calculation pertaining to the time interval in question under the criteria set forth under 37 CFR §1.704(c)3 is 238 days. Applicant submits for review that the PTA may be reduced to 909 days as indicated in 37 CFR §1.704(c)3.

Applicant provides herein a statement of the facts involved specifying the adjusted PTA and the relevant dates for the adjustment.

Applicant's Statement

Under 37 CFR §1.704(c), when calculating the PTA adjustment, particular circumstances are delineated that are considered to constitute a failure of the Applicant to engage in reasonable efforts to conclude processing or examination of an application and that result in a reduction of the period of PTA adjustment set forth in 37 CFR § 1.703. The specific circumstances, which are set out in subsections of 37 CFR §1.704(c), include in part, paragraph 3, which reads:

- (3) Abandonment of the application or late payment of the issue fee, in which case the period of adjustment set forth in §1.703 shall be reduced by the number of days, if any, beginning on the date of abandonment or the date after the date the issue fee was due and ending on the earlier of:
 - (i) The date of mailing of the decision reviving the application or accepting late payment of the issue fee; or
 - (ii) The date that is four months after the date the grantable petition to revive the application or accept late payment of the issue fee was filed;(emphases added)

A Notice of Abandonment was mailed on March 28, 2006 in the above referenced application. Applicant subsequently filed a Petition to Withdraw Holding of Abandonment under 7 CFR §1.181 that was entered on May 31, 2006, which was then dismissed. Applicant further submitted a Petition for Revival of an Application for Patent Abandoned Unavoidably under 7 CFR §1.137(A) that was entered on August 15, 2006 and subsequently accepted on November 21, 2006. Thus the time period as indicated under 37 CFR §1.704(c)(3)(i) begins on March 28, 2006 and ends on November 21, 2006, which amounts to 238 days.

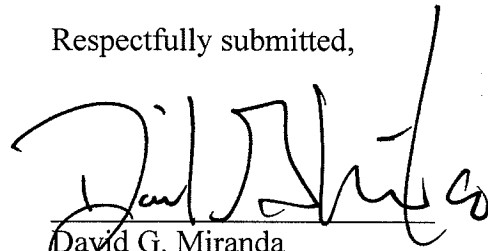
In view of these facts Applicant submits for review that the PTA may be reduced by the 238 days under 37 CFR §1.704(c)(3)(i) .

CONCLUSION

Applicant provides above herein a statement of the facts for reviewing the PTA, including the relevant dates and the alternative PTA adjustment.

Applicant respectfully submits no fee is required since the Applicant is pointing out a possible error by the USPTO that could result in a reduction of the PTA. If the fee of \$200.00 for filing an application patent term adjustment is required irregardless, please charge the Applicant's Deposit Account No. 50-3081.

Respectfully submitted,



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Date: February 13, 2007
Reg. No.: 42,898

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